

JOURNAL OF THE FLORIDA SENATE

Tuesday, May 14, 1974

The Senate was called to order by the President Pro Tempore at 9:00 a.m. A quorum present—38:

Barron	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkl
Gordon	Myers	Stolzenburg	
Graham	Peterson	Sykes	

Excused: Senator Brantley until 10:45 a.m. for the purpose of appearing before a committee of the House of Representatives; Senator Plante for the afternoon session.

Prayer by the Senate Chaplain:

The great King David of ancient times declared, "Happy is that people whose God is the Lord."

We invoke such a relationship with you, our God! With voice, we continually pledge ourselves as a nation under you. May it be reflected in our citizenship and our government.

May reverence and respect for ultimate goodness keep us striving for better selves and a better land. To this end grant us your blessing today in our deliberations. Amen.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, May 14, 1974, at 9:00 a.m.:

SCR 143 in Memoriam Ernest William Gautier to be heard at 11:00

SB 663	SB 366	SB 462	HB 1504
HB 2621	SB 825	HB 3093	HB 1503
SB 892	SJR 730	HB 3679	SB 579
SB 727	SB 797	HB 3287	
SB 722	HB 99	HB 2746	

Respectfully submitted,
Dempsey J. Barron, Chairman

The Committee on Education recommends the following pass:
SB 905 with 1 amendment SCR 908 with 4 amendments

The bills were referred to the Committee on Ways and Means under the original reference.

The Committee on Criminal Justice recommends the following pass:

HB 3064 HB 2926 CS for HB 661 with 2 amendments

The Committee on Transportation recommends the following pass: HB 100 (cs) with 2 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Criminal Justice recommends a Committee Substitute for the following: SB 739

The Committee on Education recommends a Committee Substitute for the following: SB 743

The Committee on Judiciary recommends a Committee Substitute for the following: SB 231

The Committee on Transportation recommends a Committee Substitute for the following: SB 1027

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Criminal Justice recommends the following not pass: SB 177

The Committee on Education recommends the following not pass: SB 846

The bills contained in the foregoing reports were laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 783 with 4 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

JOE BROWN, Secretary

The bill was certified to the House.

Your Engrossing Clerk to whom was referred SB 587 with 6 amendments reports that the House amendments have been incorporated and the bill is returned herewith.

JOE BROWN, Secretary

The bill was ordered enrolled.

COMMITTEE REQUESTS FOR EXTENSION OF TIME

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 652 by Senator Glisson	HB 2504 by Representative Hazelton
SB 656 by Senator Trask	HB 2631 by Representative Fontana
SB 1016 by Senator Myers	HB 2939 by General Legislation Committee
HB 1105 by Insurance Committee	
HB 2465 by Representative Williamson	

The Committee on Criminal Justice requests an extension of 10 days for the consideration of the following:

SB 16 by Senator Saunders	SB 302 by Senator Wilson
SB 10 by Senator Johnston	SB 303 by Senator Wilson
SB 39 by Senators Myers and Deeb	SB 304 by Senator Wilson
SB 82 by Senator Firestone	SB 363 by Senator Gruber
SB 113 by Senator Glisson	SB 409 by Senator Firestone
SB 142 by Senator Lane (31st)	SB 426 by Senator Scarborough
SB 161 by Senator Lane (31st)	SB 472 by Senator Lane (31st)
SB 166 by Senator Gillespie	SB 479 by Senator Gallen
SB 254 by Senator Gruber	SB 489 by Senator Pettigrew
SB 301 by Senator Wilson	

The Committee on Governmental Operations requests an extension of 10 days for the consideration of the following:

SB 747 by Senator Graham	SB 778 by Senator Gordon
SB 752 by Senators Weber and Winn	

The Committee on Judiciary requests an extension of 10 days for the consideration of the following:

SB 753 by Senator Poston	SB 802 by Senator Pettigrew
SB 777 by Senator Gordon	HB 2533 by Representative Spicola
SB 789 by Senator Gordon	SB 910 by Senator Johnson
SB 853 by Senator McClain	

The Committee on Rules and Calendar requests an extension of 10 days for the consideration of the following:

SJR 44 by Senator Winn	SB 149 by Senator Gillespie
SJR 47 by Senator Saylor	SB 207 by Senator Gallen
SB 52 by Senator Scarborough	SB 490 by Senator Johnson
SJR 125 by Senator Henderson	

The Committee on Ways and Means requests an extension of 10 days to May 23, 1974 for the consideration of the following:

SB 17 by Senator Saunders	SB 287 by Senator Peterson
SB 21 by Senator Myers	SB 291 by Senator Poston
SB 22 by Senator Wilson	SB 292 by Senator Poston
SB 24 by Senator Graham	SB 294 by Natural Resources Committee
SB 26 by Senator Williams	SB 295 by Natural Resources Committee
SJR 28 by Senator Saylor	SB 306 by Senator Gallen
SB 29 by Senator Saylor	SB 315 by Senator McClain
SB 30 by Senator Saylor	SB 323 by Senator Glisson
SB 31 by Senator Saylor	SB 326 by Senators Horne and Gillespie
SB 45 by Senator Scarborough	SB 327 by Senators Horne and Gillespie
SB 48 by Senator de la Parte, et al	SB 328 by Senators Horne and Gillespie
SB 49 by Senator Vogt	SB 329 by Senator Ware
SB 51 by Senator Pettigrew	SB 339 by Senator Sykes
SB 65 by Senator Sykes	SB 341 by Senator Lewis
SB 74 by Senator McClain	SB 342 by Senator Lane (23rd)
SB 81 by Senator Firestone	SB 346 by Senator Scarborough
SB 83 by Senator Firestone	SB 347 by Senator Scarborough
SB 88 by Senators Peterson and Trask	SB 349 by Senator Poston
SB 89 by Senators Peterson and Trask	SB 352 by Senator Vogt
SB 90 by Senators Peterson and Trask	SB 353 by Senator Brantley
SB 98 by Senator Firestone	SB 357 by Senator Vogt
SB 108 by Senator de la Parte	SB 364 by Senator Horne, et al
SB 109 by Senator Gillespie	SB 365 by Criminal Justice Committee
SB 126 by Senator de la Parte, et al	SB 367 by Senator Vogt
SB 127 by Senator Stolzenburg, et al	SB 368 by Senator Vogt
SB 129 by Senator Ware, et al	SB 369 by Senator Peterson
SB 144 by Senators Deeb and Saylor	SB 372 by Senator Poston, et al
SB 148 by Senator Gillespie	SB 382 by Senator Johnson
SB 153 by Senator Gillespie	SB 383 by Senator Johnson
SB 157 by Senator Pettigrew	SB 386 by Senator Wilson
SB 160 by Senator Myers	SB 393 by Senator Trask
SB 168 by Criminal Justice Committee, et al	SB 394 by Senator Graham
SB 178 by Senator Gillespie	SB 397 by Senator Deeb
SB 181 by Senator Glisson	SB 398 by Senator Wilson
SB 194 by Senator Gordon	SB 400 by Senator Gallen
SB 200 by Senator Deeb	SB 404 by Senator Sykes
SB 202 by Senator Deeb	SB 411 by Senator Glisson
SB 223 by Senator Winn	SB 413 by Senator Glisson
SB 226 by Senator Glisson	SB 414 by Senator Glisson
SB 230 by Senator Scarborough	SB 417 by Senator Vogt
CS/SB 235 by Senators Peterson and Myers	SB 419 by Senator Lewis
SB 258 by Senator Childers	SB 422 by Senator McClain
SB 260 by Senators Glisson and Johnson	SB 431 by Senator Gallen
SB 266 by Senator Gillespie	SB 432 by Senator Johnson
SB 273 by Senator Williams	SB 436 by Senators Johnson and Ware
SB 274 by Senators Poston and Lewis	SB 447 by Senator Johnson
SB 275 by Senator Poston, et al	SB 458 by Senator Weber
SB 278 by Senator Vogt	SB 463 by Health and Rehabilitative Services Committee
SB 280 by Senator de la Parte	SB 464 by Health and Rehabilitative Services Committee
SB 281 by Senators de la Parte and Gillespie	SB 476 by Senator Brantley
SB 284 by Criminal Justice Committee	SB 478 by Education Committee
	SB 482 by Senators Glisson and Horne

SB 483 by Senator Deeb	SB 726 by Senator Gillespie
SB 500 by Senator Trask	SB 732 by Senators Firestone and Trask
SB 503 by Senator Sykes	SB 733 by Senators Firestone and Trask
SB 508 by Senator Pettigrew	SJR 737 by Senator Gillespie
SB 509 by Senator Pettigrew	SB 755 by Senator Lane (23rd)
SB 513 by Senator Gordon	SB 759 by Senator Gordon
SB 514 by Senator Glisson	SB 761 by Senator Poston, et al
SB 534 by Senator Vogt	SB 766 by Senator Childers
SB 535 by Senator Vogt	SB 771 by Senator Lane (31st), et al
SB 538 by Criminal Justice Committee	SJR 779 by Senator Zinkil
SB 539 by Senator Vogt	SB 792 by Senator Childers
SB 540 by Senator Vogt	SB 803 by Senator Graham
SB 541 by Senator Brantley	SB 812 by Senator Gallen
SB 542 by Senator Vogt	SB 815 by Senator Gordon
SB 543 by Senator Vogt	SJR 819 by Senators Smathers and Poston
SB 544 by Agriculture Committee	SB 821 by Senator Deeb
SB 547 by Senator Wilson	SB 822 by Senator Childers
SB 550 by Senator Zinkil	SB 824 by Senator Plante
SB 553 by Senator Stolzenburg	SB 829 by Senator Lewis, et al
SB 554 by Agriculture Committee	SB 833 by Senator Graham
SB 563 by Senator Plante	SB 834 by Senators Johnson and Henderson
SB 564 by Senator Ware	SB 836 by Senator Trask
SB 567 by Senator Johnson	SB 839 by Senator Glisson
SB 581 by Senator Graham	SB 842 by Senator Trask
SB 598 by Senator Horne, et al	SB 843 by Senator Trask
SB 599 by Senator Horne, et al	SB 844 by Senator Gillespie
SB 602 by Senator Glisson, et al	SB 850 by Senator Vogt
SB 603 by Senator Plante	SB 854 by Senator Wilson
SB 607 by Senator Lewis	SM 855 by Senators Lane (31st) and Henderson
SB 610 by Senator Gordon	SB 861 by Senator Vogt
SB 614 by Senator Wilson, et al	SB 869 by Senator Horne
SB 618 by Senator Wilson, et al	SB 870 by Senator de la Parte
SB 619 by Senator Wilson, et al	SJR 871 by Senator Vogt
SB 621 by Senator Saunders	SB 872 by Senator Vogt
SB 622 by Senator Saunders	SB 874 by Senator Horne
SB 624 by Senator Johnson	SB 885 by Senators Lane (31st) and Glisson
SB 628 by Senator Childers	SB 888 by Senator Pettigrew, et al
SB 632 by Senator Graham	SB 890 by Senator Henderson
SB 636 by Senator Wilson	SB 898 by Senator Peterson, et al
SB 637 by Senator Graham	SB 902 by Senator Vogt
SB 639 by Senators Peterson and Graham	SB 912 by Senator Peterson
SB 641 by Senator Graham	SB 920 by Senator Glisson
SB 648 by Senator Poston	SB 921 by Senator Graham
SB 660 by Senator de la Parte, et al	SB 931 by Senator Myers
SB 668 by Senator Ware	SB 932 by Senator Henderson
SB 671 by Senator Lane (23rd)	SB 955 by Senator Deeb
SB 677 by Senator Plante	SB 964 by Senator Myers
SB 681 by Senator Gruber, et al	SJR 965 by Senator Graham
SB 687 by Transportation Committee	SB 967 by Senator Pettigrew
SB 688 by Senator Ware	SB 971 by Senator Lewis, et al
SB 696 by Senator Smathers	SB 977 by Senators Henderson and Brantley
SB 698 by Senator Firestone	SB 987 by Senator Poston
SB 700 by Senators Firestone and Trask	SJR 989 by Senator Pettigrew
SB 702 by Senator Peterson, et al	SB 990 by Senator Pettigrew
SB 705 by Senator Poston	SB 1001 by Senator Weber, et al
SB 706 by Senators Sykes and Johnson	SB 1028 by Senator Ware
SB 709 by Senator de la Parte	SB 1031 by Senator Williams
SB 711 by Senators Firestone and Trask	SB 1040 by Senator de la Parte
SB 715 by Senator Poston	SB 1050 by Senator Graham
SB 716 by Senator Plante	SB 1054 by Senator Graham
SB 718 by Senators Firestone and Trask	
SB 720 by Senators Firestone and Trask	
SB 723 by Senator Horne	

SJR 1055 by Senator Graham, et al
 SB 1056 by Senator Henderson
 SB 1058 by Senator Wilson
 SB 1060 by Senator Graham
 SB 1061 by Senator Graham
 SB 1062 by Senator Weber
 SB 1063 by Senator de la Parte
 SB 1072 by Senator Graham
 HB 210 by Representatives Dubbin and Becker
 HB 417 (cs) by Transportation Committee
 HB 549 by Representatives Malloy and Fontana
 HB 606 (cs) by Retirement, Personnel and Claims Committee
 HB 851 by Representative Thomas
 HB 1293 by Representative Turlington
 HB 1297 by Representative Harris
 HB 1315 by Representative Harris
 HB 1408 by Representative Steinberg
 HB 1547 (cs) by Appropriations Committee
 HB 1554 (cs) by Appropriations Committee
 HB 1617 (cs) by Retirement, Personnel and Claims Committee
 HB 1675 (cs) by Retirement, Personnel and Claims Committee
 HB 1685 by Representative Tobiasen
 HB 1857 by Representative Cunningham
 HB 1908 by Retirement, Personnel and Claims Committee
 HB 1909 by Retirement, Personnel and Claims Committee
 HB 1929 by Community Affairs Committee
 HB 1940 by Retirement, Personnel and Claims Committee
 HB 1958 by Appropriations Committee
 HB 1975 by Elections Committee
 HB 2019 by Retirement, Personnel and Claims Committee
 HB 2124 by Retirement, Personnel and Claims Committee
 HB 2174 by Retirement, Personnel and Claims Committee
 HB 2175 by Appropriations Committee
 HB 2190 by Retirement, Personnel and Claims Committee
 HB 2315 by Representative Clem
 HB 2363 by Representative Redman
 HB 2371 by Representative Poorbaugh
 HB 2379 by Representative Birchfield
 HB 2388 by Representative Robinson
 HB 2430 by Representative Brown
 HB 2431 by Representative Brown, et al
 HB 2443 by Representative Clem
 HB 2448 by Representatives Webb and Tucker
 HB 2472 by Representatives Thomas and Poole
 HB 2530 by Representative Foster
 HB 2539 by Representative Martinez
 HB 2544 by Representative McDonald
 HB 2626 by Representative McDonald
 CS for HB 2630 by Retirement, Personnel and Claims Committee
 HB 2801 by Representative Title
 CS for HB 2917 by Community Affairs Committee
 HB 3018 by Representative Webb
 CS for CS for HB 3096 by Appropriations Committee
 Representatives Papy & Tucker
 CS for HB 2747 & 3113 by Finance and Taxation Committee
 HB 3324 by Appropriations Committee
 HB 3397 by Representative Andrews
 HB 3422 by Finance and Taxation Committee
 HB 3423 by Finance and Taxation Committee
 HB 3424 by Finance and Taxation Committee
 HB 3440 by Finance and Taxation Committee
 HB 3923 by Retirement, Personnel and Claims Committee
 HB 3942 by Education Committee
 HB 4005 by Finance and Taxation Committee

EXECUTIVE BUSINESS

By direction of the President Pro Tempore, the following communication and certificate were read:

Honorable Joe Brown
 Secretary of the Senate
 The Capitol

May 13, 1974

Dear Mr. Brown:

Pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, we are enclosing a certificate listing the name

of a person for whom a commission has been prepared and which is subject to confirmation by the Senate.

With kind regards, I remain

Cordially,
RICHARD (DICK) STONE
 Secretary of State

By (Mrs.) *Dorothy W. Glisson*
 Director, Division of Elections

I, Richard (Dick) Stone Secretary of State of the State of Florida, do hereby certify that pursuant to the provisions of Section 112.071 (1), (b), Florida Statutes, a commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
John W. Minger Niceville	Member, Board of Trustees, Okaloosa-Walton Junior College	May 31, 1977



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Thirteenth day of May A. D. 1974.

RICHARD (DICK) STONE
 Secretary of State

Which was referred to the Committee on Education.

MESSAGE FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 7, 9, 240, 251 and 627 which he had approved on May 14.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mallory E. Horne, President May 10, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 2627	CS for HB 1568	CS for HB 1830 (cs)
HB 3410	HB 3086	HB 3828
HB 3487		

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Tucker and others—

HB 2627—A bill to be entitled An act relating to the Jefferson County Kennel Club; authorizing the board of business regulation of the department of business regulation to allow the Jefferson County Kennel Club to conduct one (1) charity day in addition to the charity days presently allowed the Jefferson County Kennel Club under general law; requiring that fifty (50) percent of the proceeds from said day of operation be allocated to and paid to the Monticello Opera Company of Monticello, Florida; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Commerce and Representatives Kiser and Cherry—

CS for HB 1568—A bill to be entitled An act relating to the Florida board of massage; amending §480.04, Florida Statutes, by adding new subsections (1) and (2), increasing board membership, providing certain restrictions on members, and authorizing the board to promulgate rules and regulations; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Judiciary and Representative Hector—

CS for HB 1830 (cs)—A bill to be entitled An act relating to commercial transactions; providing definitions; providing requirements for assumption of liability or hold harmless contracts, agreements or other binding paper; providing consequences if the act is violated; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By Representative Cunningham—

HB 3410—A bill to be entitled An act relating to mobile home, travel trailer and recreational parks; amending sections 513.01, 513.02, 513.03, 513.04, 513.05, 513.06, 513.07, 513.08, 513.09, and 513.12, Florida Statutes, redefining tourist camps and mobile home parks in order to conform with the present use of such facilities; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Fulford—

HB 3086—A bill to be entitled An act relating to drivers' licenses; amending §322.16(2), Florida Statutes, 1973, permitting restricted licensees under the age of sixteen (16) to operate a driver education motor vehicle at night under specified conditions; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Representative Harris—

HB 3828—A bill to be entitled An act relating to liquefied petroleum gas; amending sections 527.02(2), 527.13(2) and 527.15(7), Florida Statutes, by providing that revenues collected under this chapter be deposited in the insurance commissioner's regulatory trust fund; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Representative Gautier—

HB 3487—A bill to be entitled An act relating to clearing corporations as defined in the Uniform Commercial Code; amending §608.421(2)(a) and §678.102(3), Florida Statutes, defining who may hold the capital stock of a clearing corporation; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Mallory E. Horne, President May 10, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 711	HB 3361	CS for HB 3734
HB 3405	HB 3834	CS for HB 2848
HB 3827		

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Young—

HB 711—A bill to be entitled An act relating to sales tax on admissions; amending §212.04(2)(b), Florida Statutes, as amended by chapter 72-220, Laws of Florida, to provide an exemption for events sponsored by schools or correctional institutions when only student, faculty or inmate talent is used; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representative Bass—

HB 3361—A bill to be entitled An act relating to retail installment sales and home improvement contracts; adding subsection (8) to §520.07 and amending §§520.37 and 520.85, all

Florida Statutes, 1973, to provide when such a contract allows attorney's fees and court costs to a seller when he is required to take any action to enforce the contract, the court may also allow reasonable attorney's fees and court costs to the buyer when he prevails in any action by or against him with respect to the contract; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Judiciary and Representative Sackett and others—

CS for HB 3734—A bill to be entitled An act relating to landlord and tenant; adding subsection (5) to §83.49, Florida Statutes; providing for tenants to give notice prior to vacating or abandoning the premises; providing that failure to give such notice relieves the landlord of his duty under §83.49(3)(a), Florida Statutes; providing an effective date.

—was read the first time by title and placed on the calendar.

By Representative Steinberg—

HB 3405—A bill to be entitled An act relating to yacht and ship brokers; amending §§537.04(7) and 537.12, Florida Statutes, 1971 to permit the division of general regulation of the department of business regulation to deny a license to, and assess a civil penalty against, any person engaging in business as a yacht or ship salesman or broker without a license therefor; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By Representatives Nuckolls and Melvin—

HB 3834—A bill to be entitled An act relating to advertising of room rates by public lodging establishments; amending section 509.201 (2)(a) and (b), Florida Statutes, to prohibit advertising of rates in any form without certain other disclosures; providing for restrictions on statements and numbers used in advertising of room rates; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By the Committee on General Legislation and Representatives Culbreath and Richmond—

CS for HB 2848—A bill to be entitled An act relating to charity racing days; amending §550.03, Florida Statutes, as amended by §137, chapter 73-333, Laws of Florida; authorizing the board of business regulation to extend the time limitations for horse tracks in Hillsborough County for an additional third charity day, the proceeds of which shall go to the Pasco-Hernando Community College; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Harris—

HB 3827—A bill to be entitled An act relating to insurance; amending sections 624.516(1) and (3) and 624.517(1), Florida Statutes, providing that funds received under section 624.515, Florida Statutes, shall be deposited in the insurance commissioner's regulatory trust fund; providing the department of insurance may reduce the regulatory assessment if the assessment will result in more money than is needed to defray the expenses of the state fire marshal; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Mallory E. Horne, President May 13, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 3654	HB 3633
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—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative MacKay—

HB 3654—A bill to be entitled An act relating to the Florida resources systems institute; creating section 241. . . Florida Statutes; creating the Florida resources systems institute; providing for location of the institute and regional centers; establishing objectives; creating the Florida resources systems advisory council and providing membership; providing duties of the council; providing for panels of the council; establishing a procedure for appointment of the director of the institute; authorizing employment of personnel; providing for coordination with the division of state planning; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Representative MacKay—

HB 3633—A bill to be entitled An act relating to a natural resources inventory and resource information system; providing for an inventory of the state's natural resources; providing for the development of a data acquisition program; providing for the development of computer technology to process resource information; providing for staff and technical assistance; providing for legislative intent; providing for an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

The Honorable Mallory E. Horne, President May 13, 1974

I am directed to inform the Senate that the House of Representatives has passed—

HB 2087 **HB 3551** **CS for HB 2707**

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Transportation and Representative Holloway—

HB 2087—A bill to be entitled An act relating to Turnpike projects; amending section 340.02, Florida Statutes, to provide that revenue bonds for Turnpike projects be issued pursuant to legislative approval; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

By Representative Haben—

HB 3551—A bill to be entitled An act relating to landlord tenant relationships; creating §83.43(12), Florida Statutes, defining security deposits; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

By the Committee on Community Affairs and Representative Dyer—

CS for HB 2707—A bill to be entitled An act relating to county officers; providing for the ad interim appointment of persons to fill vacancies in the offices of county comptroller, tax assessor, and tax collector under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

The Honorable Mallory E. Horne, President May 10, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 4000	HB 3962	HB 2931
HB 3004	HB 3832	CS for HB 3264
HB 3006	HB 3268	HB 3957
CS for HB 3441	HB 3667	

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health and Rehabilitative Services—

HB 4000—A bill to be entitled An act relating to the Florida mental health act; amending §394.457(6)(d), Florida Statutes,

1973, to provide for review of orders of hearing examiners by district courts rather than circuit courts; amending §394.459(1), Florida Statutes, 1973, relating to the rights of patients, to provide an exception, in criminal cases, to the five (5) day limitation on imprisonment; amending §394.467(3)(b), Florida Statutes, 1973, relating to involuntary hospitalization, to provide for committal, to the division of mental health for hospitalization and treatment, of any person adjudicated not guilty by reason of insanity, and to provide that any mentally ill person charged with a misdemeanor shall be admitted for hospitalization and treatment pursuant to part I of chapter 394; amending §394.467(4)(c) and (e), Florida Statutes, 1973, to increase the period of time within which, upon administrative request or petition of the patient or his representative, the hearing shall be held; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By the Committee on Appropriations—

HB 3962—A bill to be entitled An act relating to appropriations; providing for an appropriation of funds to each and every publicly owned transit system as a reimbursement for the overpayment of bus license tag taxes paid during FY 1971-72 in accordance with ruling of the Florida Supreme Court; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Representative Wilson—

HB 2931—A bill to be entitled An act relating to Florida Downs and Turf Club, Inc.; authorizing the board of business regulation of the department of business regulation to allow the Florida Downs and Turf Club, Inc., to conduct one (1) charity day in addition to the charity days presently allowed the Florida Downs and Turf Club, Inc., under general law; requiring that fifty (50) percent of the proceeds from said day of operation be allocated and paid to the trustees of the Hillsborough Community College, and the remaining fifty (50) percent of the proceeds be paid to the St. Petersburg Junior College Alumni Association, Inc., for use in granting scholarships; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By Representative Carlucci—

HB 3004—A bill to be entitled An act relating to the division of retardation of the department of health and rehabilitative services; amending §393.12(2), Florida Statutes, 1973, to provide for participation of certain persons in competency hearings; providing an effective date.

—was read the first time by title and referred to the Committee on Health and Rehabilitative Services.

By Representative Harris—

HB 3832—A bill to be entitled An act relating to insurance; amending section 624.522, Florida Statutes, by repealing present subsection (6) relating to the transfer of funds from various trust funds to the insurance commissioner's regulatory trust fund and renumbering present subsection (7) as subsection (6); providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Insurance and Representative Lockward—

CS for HB 3264—A bill to be entitled An act relating to insurance; creating subsection (6), of §626.970, Florida Statutes, providing that an insured or applicant for automobile insurance shall not be charged any increase in premium rates solely on the grounds of a moving traffic violation which was nolle prossed, dismissed or quashed; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

By the Committee on Criminal Justice—

HB 3006—A bill to be entitled An act relating to drug abuse prevention and control; amending section 893.03(2)(c), Florida Statutes, to add substances formerly covered under section 893.03(3)(a), Florida Statutes; amending section 893.03(3)(a), Florida Statutes, to delete methaqualone; amending subsection (1)(a) of Section 893.13, Florida Statutes, to provide that unlawful sale, manufacture or delivery of Schedule V (§893.03(5)) substances shall be a third degree felony; amending subsection (1)(b) of Section 893.13, Florida Statutes, to provide that sale, delivery or possession of in excess of 10 grams of any substance containing any amount of any substance listed in section 893.03(1)(a) or (b), Florida Statutes, shall be punishable as a first degree felony; amending section 893.13(1)(e), Florida Statutes, to rephrase the simple possession provision to provide that unlawful possession of a substance named or described in sections 893.03(1), 893.03(2), 893.03(3), 893.03(4), Florida Statutes, shall constitute a third degree felony; providing that unlawful possession of a substance named or described in section 893.03(5), Florida Statutes, shall be punishable as a misdemeanor of the first degree; providing an effective date.

—was read the first time by title and referred to the Committee on Criminal Justice.

By Representative Harris—

HB 3268—A bill to be entitled An act relating to public officers and employees amending Section 112.12, Florida Statutes, which authorizes payment of certain insurance premiums by employers of such officers and employees, asserting health insurance is as defined by Section 624.603, Florida Statutes; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Transportation and Representative Holway—

HB 3957—A bill to be entitled An act relating to shooting or throwing deadly missiles; amending §790.19, Florida Statutes, to extend the prohibition against throwing or shooting missiles at or within any building, train or other conveyance; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Community Affairs and Representative Harris—

CS for HB 3441—A bill to be entitled An act relating to county officials; amending subsection (1) of section 145.121, and subsection (2) of section 201.11, Florida Statutes; prescribing funds to be included as income of the office; providing for the county comptroller and the clerk of the circuit court to serve ex officio as agents for the collection of the excise tax on documents; repealing section 28.25, Florida Statutes, which provides for special services compensation to the clerk of the circuit court; providing an effective date.

—was read the first time by title and referred to the Committee on Governmental Operations.

By Representative Haben—

HB 3667—A bill to be entitled An act relating to the landlord tenant relationships; amending §§83.59(2), 83.61 and 83.49(3)(c), Florida Statutes, to provide for advancing the cause on the court calendar; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary.

Senator Williams moved that the rules be waived and the following bill be admitted for introduction notwithstanding the fact that the deadline for filing bills pursuant to Rule 4.4 had passed:

A bill to be entitled An act relating to security; amending §20.22(2)(f) and (g), Florida Statutes, adding paragraph (h) to said subsection; establishing the division of security of the department of general services; creating part IV, chapter 287, Florida Statutes; providing powers and duties; providing for employment of security agents, guards and other personnel; limiting investigations; providing for arrests; providing for ex

officio security agents; authorizing contracts with local governments; providing for equipment; requiring bonds of officers and security agents; creating a security trust fund; providing for rules and regulations; providing a penalty; transferring personnel and equipment to the division; providing severability; repealing §§272.13, 272.14 and 272.15, Florida Statutes, relating to the security of the capitol center area; providing an effective date.

The motion was referred to the Committee on Rules and Calendar.

On motion by Senator Saunders, Rule 2.5 was waived and the Committee on Ways and Means was granted permission to consider the general appropriations bill at the scheduled meeting this day.

SPECIAL ORDER

Consideration of SB 663 was deferred.

HB 2621—A bill to be entitled An act relating to veterans; amending subsection (4) of §240.052, Florida Statutes, as created by chapter 73-184, Laws of Florida, to include community colleges among those state institutions where veterans and their dependents under the federal educational assistance act shall have an extra sixty (60) days for payment of registration fees; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote HB 2621 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Childers	Henderson	Saunders	Vogt
Deeb	Johnson	Sayler	Ware
de la Parte	Johnston	Scarborough	Weber
Gallen	Lane (23rd)	Sims	Williams
Gillespie	Lewis	Smathers	Wilson
Gordon	Peterson	Stolzenburg	Winn
Graham	Plante	Sykes	Zinkil
Gruber	Poston	Trask	

Nays—None

By unanimous consent Senators Myers, Pettigrew, Firestone, Glisson, Lane (31st) and McClain were recorded as voting yea.

CONSENT CALENDAR

SB 450—A bill to be entitled An act relating to agricultural road guard inspection; amending section 570.15, Florida Statutes; amending chapter 570, Florida Statutes, by adding section 570.151; authorizing the appointment of special officers; prescribing duties and authority of special officers; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote SB 450 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Childers	Graham	Plante	Sykes
Deeb	Gruber	Poston	Trask
de la Parte	Henderson	Saunders	Vogt
Firestone	Johnson	Sayler	Weber
Gallen	Johnston	Scarborough	Williams
Gillespie	Lewis	Sims	Winn
Glisson	Myers	Smathers	Zinkil
Gordon	Peterson	Stolzenburg	

Nays—1

Wilson

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

SB 338 was taken up, together with:

By the Committee on Governmental Operations—

CS for SB 338—A bill to be entitled An act relating to special taxing districts; requiring that district boundary lines and district rules, regulations and revisions thereof be recorded by the governing body of such district in the office of the clerk of the circuit court; providing an effective date.

—which was read the first time by title and SB 338 was laid on the table.

On motion by Senator Lewis, by two-thirds vote CS for SB 338 was read the second time by title.

Senator Lewis moved the following amendment which was adopted:

Amendment 1—On page 1, line 30, after the “.” insert: In the event a special taxing district consists of land in more than one county, the recording required by this section shall be perfected in the official records of each county that contains any part of the special taxing district.

On motion by Senator Lewis, by two-thirds vote CS for SB 338 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

Barron	Graham	Poston	Vogt
Childers	Gruber	Saunders	Weber
Deeb	Henderson	Sayler	Williams
de la Parte	Johnson	Scarborough	Wilson
Firestone	Johnston	Sims	Winn
Gallen	Lewis	Smathers	Zinkil
Gillespie	Myers	Stolzenburg	
Glisson	Peterson	Sykes	
Gordon	Plante	Trask	

Nays—None

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

SB 701 was taken up and on motion by Senator Trask—

HB 3536—A bill to be entitled An act relating to school pedestrian crossing guards and school safety patrol; amending section 316.184, F. S., by creating a new subsection (5) and renumbering existing subsection (5) as subsection (6); providing that flags, belts, apparel and devices supplied to school safety patrol, school police officers, and special school police be visible both day and night; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Trask, by two-thirds vote HB 3536 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Barron	Graham	Plante	Trask
Childers	Gruber	Poston	Vogt
Deeb	Henderson	Saunders	Weber
de la Parte	Johnson	Sayler	Williams
Firestone	Johnston	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	

Nays—None

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

SB 701 was laid on the table.

HB 1271—A bill to be entitled An act relating to pollution control; declaring legislative intent; creating a pollution control awards program to be administered by the department of commerce; providing awards and special awards in certain

categories; providing for submission of nominations; providing for consideration of nominations at least twice a year; providing for promulgation of rules and regulations by the department of commerce; providing for a veto of awards by the department of pollution control under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Graham, by two-thirds vote HB 1271 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Barron	Graham	Plante	Trask
Childers	Gruber	Poston	Vogt
Deeb	Henderson	Saunders	Ware
de la Parte	Johnson	Sayler	Weber
Firestone	Johnston	Scarborough	Williams
Gallen	Lane (23rd)	Sims	Wilson
Gillespie	Lewis	Smathers	Winn
Glisson	Myers	Stolzenburg	Zinkil
Gordon	Peterson	Sykes	

Nays—None

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

HB 928—A bill to be entitled An act relating to pest control; amending §§482.071(1) and 482.091(2), Florida Statutes, 1971, providing for the annual renewal of pest control licenses and identification cards; providing for the destruction of pest control identification cards when no longer valid; providing that pest control license fees be deposited in the pest control trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Gillespie, by two-thirds vote HB 928 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Childers	Gruber	Poston	Vogt
Deeb	Henderson	Saunders	Ware
de la Parte	Johnson	Sayler	Weber
Firestone	Johnston	Scarborough	Williams
Gallen	Lane (23rd)	Sims	Wilson
Gillespie	Lewis	Smathers	Winn
Glisson	Myers	Stolzenburg	Zinkil
Gordon	Peterson	Sykes	
Graham	Plante	Trask	

Nays—None

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

HB 2551—A bill to be entitled An act relating to agricultural and nonprofit cooperative associations; amending §618.01(1), Florida Statutes, 1971; including aquatic products within the definition of agricultural products; amending §619.01, Florida Statutes, 1971; permitting those engaged in the production and marketing of aquatic products to form a nonprofit cooperative association; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendment which was moved by Senator Gallen and adopted:

Amendment 1—On page 2, line 3, after the words “aquatic products” add: and sponges

On motion by Senator Gallen, by two-thirds vote HB 2551 as amended was read the third time by title, passed, and certified to the House. The vote was:

Yeas—34

Childers	Firestone	Glisson	Gruber
Deeb	Gallen	Gordon	Henderson
de la Parte	Gillespie	Graham	Johnson

Johnston	Poston	Stolzenburg	Williams
Lane (23rd)	Saunders	Sykes	Wilson
Lewis	Saylor	Trask	Winn
Myers	Scarborough	Vogt	Zinkil
Peterson	Sims	Ware	
Plante	Smathers	Weber	

Nays—None

By unanimous consent Senators Lane (31st), Pettigrew and McClain were recorded as voting yea.

HB 2393—A bill to be entitled An act relating to public officers; amending §99.012(3), Florida Statutes, 1971, to provide that resignations of county and municipal public officers in compliance with the resign-to-run law shall be directed to the officer with whom such officers qualified or by whom such officers were appointed with copies to the governor and the department of state; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 2393 was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Barron	Graham	Peterson	Sykes
Childers	Gruber	Plante	Trask
Deeb	Henderson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Johnston	Saylor	Weber
Gallen	Lane (31st)	Scarborough	Williams
Gillespie	Lane (23rd)	Sims	Wilson
Glisson	Lewis	Smathers	Winn
Gordon	Myers	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senators Pettigrew and McClain were recorded as voting yea.

Consideration of HB 1538(cs), House Bills 98, 615 and 588 was deferred.

SCR 814—A concurrent resolution in Commendation Miss Thaddie Plant and Miss Thelma Plant.

—was read the second time in full. On motion by Senator Lewis, SCR 814 was adopted and certified to the House. The vote was:

Yeas—37

Barron	Gruber	Plante	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Saunders	Weber
de la Parte	Johnston	Saylor	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	
Graham	Peterson	Trask	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

Senator Sykes was recorded as a co-introducer of SCR 814.

HB 187 (cs/cs)—A bill to be entitled An act relating to the purchase of land under the land conservation act; amending Chapter 259, Florida Statutes, 1972 Supplement, by adding section 259.07, Florida Statutes, requiring the department of natural resources when making recommendations to the board to hold public meetings on the proposal to purchase any such land; providing an effective date.

—was read the second time by title. On motion by Senator Lewis, by two-thirds vote HB 187 (cs/cs) was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Childers	Gruber	Plante	Vogt
Deeb	Henderson	Poston	Ware
de la Parte	Johnson	Saunders	Weber
Firestone	Johnston	Saylor	Williams
Gallen	Lane (31st)	Scarborough	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	
Graham	Peterson	Sykes	

Nays—None

By unanimous consent Senators Myers and Pettigrew were recorded as voting yea.

HB 2903—A bill to be entitled An act relating to elections; amending §103.111(2) and (3)(a), Florida Statutes, 1973, to conform the filing period for candidates for state and county executive committee members to that of other elected officials; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendment which was moved by Senator Trask and adopted:

Amendment 1—On page 3, line 10, strike "This act shall take effect October 1, 1974." and insert: This act shall take effect upon becoming law.

On motion by Senator Trask, by two-thirds vote HB 2903 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Plante	Trask
de la Parte	Johnson	Poston	Vogt
Firestone	Johnston	Saunders	Ware
Gallen	Lane (31st)	Saylor	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Myers	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 895 was laid on the table.

SB 903—A bill to be entitled An act relating to the land sales industry; amending Section 4(b) of Chapter 73-348, Florida Statutes, relating to unplatted subdivisions and providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 903 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Childers	Gruber	Plante	Trask
Deeb	Henderson	Poston	Vogt
de la Parte	Johnson	Saunders	Weber
Firestone	Johnston	Saylor	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	
Gordon	McClain	Stolzenburg	
Graham	Peterson	Sykes	

Nays—2

Ware Williams

By unanimous consent Senators Myers and Pettigrew were recorded as voting yea.

SB 782—A bill to be entitled An act relating to mobile homes; providing for disclosure of the manner used in determining the length of a mobile home; providing for an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 782 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Childers	Henderson	Plante	Trask
de la Parte	Johnson	Poston	Vogt
Firestone	Johnston	Saunders	Ware
Gallen	Lane (31st)	Saylor	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Myers	Stolzenburg	Zinkil
Gruber	Peterson	Sykes	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 253—A bill to be entitled An act relating to designation of a state insect and a state reptile; providing for a referendum by Florida school students in grades three through twelve to select an official state insect and an official state reptile.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 253 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Childers	Graham	McClain	Stolzenburg
Deeb	Gruber	Myers	Sykes
de la Parte	Henderson	Peterson	Trask
Firestone	Johnson	Plante	Vogt
Gallen	Johnston	Poston	Ware
Gillespie	Lane (31st)	Scarborough	Weber
Glisson	Lane (23rd)	Sims	Williams
Gordon	Lewis	Smathers	Wilson

Nays—1

Saylor

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 678 was taken up and on motion by Senator Poston—

HB 3069—A bill to be entitled An act relating to highway designation; designating that portion of State Road 50 in Orange county, Florida, from the Lake county line to the Brevard county line as the "William B. McGee Highway;" authorizing and directing the state department of transportation to erect suitable markers; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Poston, by two-thirds vote HB 3069 was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Childers	Graham	McClain	Smathers
Deeb	Gruber	Myers	Stolzenburg
de la Parte	Henderson	Peterson	Sykes
Firestone	Johnson	Poston	Trask
Gallen	Johnston	Saunders	Vogt
Gillespie	Lane (31st)	Saylor	Weber
Glisson	Lane (23rd)	Scarborough	Winn
Gordon	Lewis	Sims	Zinkil

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 678 was laid on the table.

Consideration of SB 471, SR 867 and SR 868 was deferred.

SB 601—A bill to be entitled An act relating to contracts, transportation code; amending §337.11(4)(a), (c) and (d), Florida Statutes, and adding a new paragraph to said subsection; providing for the use of written change orders to contracts; providing rules for issuance of same; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Poston and adopted:

Amendment 1—On page 1, lines 27 through 29, and on page 2, lines 1 through 4, strike entire lines and insert: (c) Written change orders may be issued by the department and accepted by the contractor covering minor changes in the plan, specifications or quantities of work, within the scope of a contract, when prices for the items of work affected are previously established in the contract, but in no event shall such change orders increase or decrease any contract by more than ten thousand dollars or 2 percent of the original contract price, whichever is greater. Any change order modifying any item in the original contract must be approved by the district engineer.

On motion by Senator Poston, by two-thirds vote SB 601 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

Childers	Gruber	Myers	Sykes
Deeb	Henderson	Peterson	Trask
de la Parte	Johnson	Plante	Vogt
Firestone	Johnston	Poston	Ware
Gallen	Lane (31st)	Saylor	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil
Graham	McClain	Stolzenburg	

Nays—2

Gordon Scarborough

By unanimous consent Senators Williams and Pettigrew were recorded as voting yea; Senator de la Parte changed his vote from yea to nay.

Consideration of SCR 590 was deferred.

HB 1459—A bill to be entitled An act relating to condominiums and cooperative apartments; amending the introductory paragraph of §711.24(3), Florida Statutes, 1972 Supplement, to clarify language relating to prohibited misleading statements; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 1459 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saylor	Weber
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	
Graham	Myers	Sykes	
Gruber	Peterson	Trask	

Nays—None

By unanimous consent Senators Williams, Pettigrew and Glisson were recorded as voting yea.

SB 71—A bill to be entitled An act relating to cruelty to animals; prohibiting the intentional killing, maiming or disfiguring of animals; providing a penalty; repealing §828.09, Florida Statutes, relating to wanton killing of animals; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice offered the following amendments which were moved by Senator Gallen and adopted:

Amendment 1—On page 1, line 14, strike "beast" and insert: livestock animals

Amendment 2—On page 1, line 15, strike "beasts" and insert: animals

The Committee on Criminal Justice offered the following amendment which was moved by Senator Gallen:

Amendment 3—On page 1, line 20, strike "Section 828.09, Florida Statutes, is hereby repealed." and insert: Sections 828.07 and 828.09, Florida Statutes, are hereby repealed.

Consideration of SB 71 with pending amendment was deferred.

SB 410—A bill to be entitled An act relating to county court judges; providing for the designation of a county court judge to serve as circuit judge in any county where there is no resident circuit judge; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendments which were moved by Senator Gallen and adopted:

Amendment 1—On page 1, line 19, strike the period after "judge" and insert: for the time periods that the county judge is actually presiding over circuit court cases.

Amendment 2—On page 1, line 15, after "designated" insert: on a temporary basis

Consideration of SB 410 as amended was deferred.

SCR 760—A concurrent resolution commending Henry P. Trawick for his leadership in the legal profession and his service to the state of Florida and its citizens since his admission to The Florida Bar in 1950.

—was read the second time in full. On motion by Senator Gallen, SCR 760 was adopted and certified to the House. The vote was:

Yeas—35

Childers	Gruber	Peterson	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Sayler	Weber
Gallen	Lane (31st)	Scarborough	Williams
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	
Graham	Myers	Sykes	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

Consideration of Senate Bills 530 and 442 was deferred.

SB 218—A bill to be entitled An act relating to rehabilitative services and parole revocation procedures; amending section 947.23, Florida Statutes, by providing subpoena powers to the parole and probation commission; establishing procedures for compelling the attendance of witnesses, and authorizing issuance of subpoenas on behalf of parolee; requiring notice of hearing; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendment which was moved by Senator Vogt and adopted:

Amendment 1—On page 2, line 1, following "tecum" insert a comma

On motion by Senator Vogt, by two-thirds vote SB 218 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—34

Childers	Gruber	Peterson	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Sayler	Williams
Gallen	Lane (31st)	Scarborough	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	
Graham	Myers	Sykes	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

Consideration of HB 1452 was deferred.

SB 916—A bill to be entitled An act relating to guardianship; amending §744.31(5)(b), Florida Statutes, providing that the court shall terminate guardianship proceedings if the report of the examiners is that the alleged incompetent is neither mentally nor physically incompetent; providing an effective date.

—was read the second time by title. On motion by Senator Myers, by two-thirds vote SB 916 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Childers	Gruber	Peterson	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Sayler	Weber
Gallen	Lane (31st)	Scarborough	Williams
Gillespie	Lane (23rd)	Sims	Wilson
Glisson	Lewis	Smathers	Winn
Gordon	McClain	Stolzenburg	Zinkil
Graham	Myers	Sykes	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 750 was taken up, together with, by the Committee on Criminal Justice, CS for SB 750. On motion by Senator Scarborough—

HB 3957—A bill to be entitled An act relating to shooting or throwing deadly missiles; amending §790.19, Florida Statutes, to extend the prohibition against throwing or shooting missiles at or within any building, train or other conveyance; providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Scarborough, by two-thirds vote HB 3957 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Childers	Gallen	Graham	Johnston
Deeb	Gillespie	Gruber	Lane (31st)
de la Parte	Glisson	Henderson	Lane (23rd)
Firestone	Gordon	Johnson	Lewis

McClain	Saunders	Stolzenburg	Weber
Myers	Sayler	Sykes	Williams
Peterson	Scarborough	Trask	Winn
Plante	Sims	Vogt	Zinkil
Poston	Smathers	Ware	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 750 and the Committee substitute were laid on the table.

On motion by Senator Sims, by two-thirds vote CS for HB 2531 was withdrawn from the Committee on Natural Resources and Conservation and placed on the calendar.

SB 786 was taken up and on motion by Senator Sims—

CS for HB 2531—A bill to be entitled An Act relating to non-indigenous aquatic plant control; providing definitions and legislative intent; amending section 372.931, Florida Statutes, to broaden the authority of the department of natural resources in controlling non-indigenous aquatic plants; providing for state participation on a matching basis with local agencies in funding non-indigenous aquatic plant maintenance programs; providing for an annual report and fiscal accounting; providing authority for the department of natural resources to cooperate with the federal government in programs to control the growth of non-indigenous aquatic plants and other noxious aquatic plants; providing for cooperation between the department of natural resources and the game and fresh water fish commission; providing an effective date.

—a similar measure was substituted therefor and read the second time by title. On motion by Senator Sims, by two-thirds vote CS for HB 2531 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Childers	Gruber	Peterson	Vogt
Deeb	Henderson	Plante	Ware
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Sayler	Williams
Gallen	Lane (31st)	Sims	Wilson
Gillespie	Lane (23rd)	Smathers	Winn
Glisson	Lewis	Stolzenburg	Zinkil
Gordon	McClain	Sykes	
Graham	Myers	Trask	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

SB 786 was laid on the table.

SB 800 was taken up and on motion by Senator Sims—

CS for HB 3734—A bill to be entitled An act relating to landlord and tenant; adding subsection (5) to §83.49, Florida Statutes; providing for tenants to give notice prior to vacating or abandoning the premises; providing that failure to give such notice relieves the landlord of his duty under §83.49(3)(a), Florida Statutes; providing an effective date.

—a similar measure was substituted therefor. On motion by Senator Sims, by two-thirds vote CS for HB 3734 was read the second time by title.

Senator Myers moved the following amendment which was adopted:

Amendment 1—On page 1, line 24, strike "certified"

On motion by Senator Sims, by two-thirds vote CS for HB 3734 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—36

Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Plante	Trask
de la Parte	Johnson	Poston	Vogt
Firestone	Johnston	Saunders	Ware
Gallen	Lane (31st)	Sayler	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Myers	Stolzenburg	Zinkil

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

Consideration of HB 1135 was deferred.

On motion by Senator Glisson, HB 3273 was withdrawn from the Committee on Health and Rehabilitative Services by two-thirds vote and placed on the calendar.

SB 525 was taken up and on motion by Senator Glisson—

HB 3273—A bill to be entitled An act relating to podiatry; amending §461.12(2)(b), Florida Statutes, 1973, increasing the penalty for practicing podiatry without a license; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 3273 was read the third time by title, passed and certified to the House. The vote was:

Yeas—33

Childers	Henderson	Plante	Ware
Deeb	Johnson	Poston	Weber
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Stolzenburg	Zinkil
Glisson	McClain	Sykes	
Gordon	Myers	Trask	
Graham	Peterson	Vogt	

Nays—None

By unanimous consent Senators Pettigrew and Smathers were recorded as voting yea.

SB 525 was laid on the table.

SB 974 was taken up, together with:

By the Committee on Criminal Justice—

CS for SB 974—A bill to be entitled An act relating to jurors; amending §921.141(1), Florida Statutes, providing for second jury or special juror at sentencing proceeding; providing an effective date.

—which was read the first time by title and SB 974 was laid on the table.

On motions by Senator McClain, by two-thirds vote CS for SB 974 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—32

Barron	Gallen	Johnston	Myers
Childers	Gillespie	Lane (31st)	Peterson
Deeb	Graham	Lane (23rd)	Plante
de la Parte	Henderson	Lewis	Poston
Firestone	Johnson	McClain	Saunders

Scarborough
Sims
Stolzenburg

Sykes
Trask
Vogt

Ware
Weber
Williams

Wilson
Winn
Zinkil

Nays—1

Gordon

By unanimous consent Senators Pettigrew, Glisson and Smathers were recorded as voting yea.

The Senate resumed—

SPECIAL ORDER

SB 663 was taken up, together with:

By the Committee on Commerce—

CS for SB 663—A bill to be entitled An act relating to quarter horse racing; amending section 550.33, Florida Statutes, by adding subsection (7); authorizing substitute races of horses registered with the International Arabian Horse Association, Appaloosa Horse Club, the Palomino Horse Breeders of America or The Jockey Club; limiting races to 12 daily; providing for examination of all such horses prior to racing; providing an effective date.

—which was read the first time by title and SB 663 was laid on the table.

On motion by Senator Barron, by two-thirds vote CS for SB 663 was read the second time by title.

Senator McClain moved the following amendment which failed:

Amendment 1—On page 2, line 9, strike "A quarter horse racing permit holder is authorized to conduct no more than twelve races daily." and insert: Any racing permit holder is authorized to conduct no more than twelve races daily.

The President presiding

On motion by Senator Barron, by two-thirds vote CS for SB 663 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President
Barron
Brantley
Childers
Firestone
Gallen
Gillespie
Glisson

Gordon
Graham
Gruber
Henderson
Johnson
Lane (23rd)
Lewis
McClain

Myers
Peterson
Plante
Poston
Scarborough
Sims
Stolzenburg
Sykes

Trask
Vogt
Ware
Weber
Williams
Winn

Nays—1

Lane (31st)

By unanimous consent Senators de la Parte, Johnston, Smathers, Pettigrew and Wilson were recorded as voting yea; Senator Lane (31st) changed his vote from nay to yea.

The hour of 11:00 a.m. having arrived, a point of order was called by Senator Barron and the Senate took up—

SCR 143—A concurrent resolution in Memoriam Ernest William Gautier.

On motion by Senator Gillespie, SCR 143 was read the second time in full and the Senate stood in a moment of silent prayer in memory of Senator Ernest William Gautier, thereby reflecting the unanimous adoption of SCR 143.

Senators Barron, Brantley, Childers, Deeb, de la Parte, Firestone, Gallen, Glisson, Gordon, Graham, Gruber, Henderson,

Horne, Johnson, Johnston, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Saunders, Saylor, Scarborough, Sims, Smathers, Stolzenburg, Sykes, Trask, Vogt, Ware, Weber, Williams, Wilson, Winn and Zinkil were recorded as co-introducers of SCR 143.

SB 892 was taken up, together with:

By the Committee on Rules and Calendar—

CS for SB 892—A bill to be entitled An act relating to administrative procedures; creating section 120.010, Florida Statutes, providing a short title; amending section 120.021, Florida Statutes, providing additional definitions; amending section 120.031, Florida Statutes, providing that each agency adopt as a rule a description of its organization and procedures and make specified records available for copying at cost; amending section 120.041, Florida Statutes, providing additional rule making procedures; amending section 120.051, Florida Statutes, providing additional filing and publication procedures; creating section 120.095, Florida Statutes, providing exemption procedures; creating section 120.29, Florida Statutes, providing for administrative determination of the validity of a rule on specified grounds; creating the division of administrative hearings of the department of administration to be headed by a director appointed by the administration commission and confirmed by the senate; creating section 11.60, Florida Statutes, providing for the administrative procedures committee, its membership, powers and duties; providing legislative intent; providing an effective date.

—which was read the first time by title and SB 892 was laid on the table.

On motion by Senator Barron, by two-thirds vote CS for SB 892 was read the second time by title.

Senator Barron moved the following amendments which were adopted:

Amendment 1—On page 6, lines 16 and 17, strike "issues under consideration." and insert following the phrase "hold a hearing on the": following grounds: that the rule is an invalid exercise of validly delegated legislative authority; or that the rule is an exercise of invalidly delegated legislative authority. The hearing shall be held within thirty days following receipt of the written request therefor.

Amendment 2—On page 18, lines 26 and 27 strike "This provision" and insert: on line 26, following the phrase "to such intent." insert: The provisions of chapter 120, Florida Statutes,

Amendment 3—On page 7, line 19, strike "it" and on line 18, after the word "agency", insert: or hearing officer

Amendment 4—On page 10, lines 28 and 29, strike "after the time for requesting a hearing has expired" and insert: twenty-one days after the notice required by subsection (1),

Amendment 5—On page 19, between lines 16 and 17 insert: Section 11. Subsection (1) of section 120.21, and section 120.321, Florida Statutes, are hereby repealed.

[Renumber the subsequent section.]

Senator Trask moved the following amendments which were adopted:

Amendment 6—On page 3, line 21, insert: , or agricultural orders under chapters 573 or 601, Florida Statutes.

Amendment 7—On page 19, line 17, insert: Section 11. The provisions contained in sections 120.041(2) and 120.29 shall not apply to chapter 601, Florida Statutes.

(and renumber subsequent section)

Senators Gillespie, Barron, Brantley, Childers, Deeb, de la Parte, Firestone, Gallen, Glisson, Gordon, Graham, Gruber, Henderson, Horne, Johnson, Johnston, Lane (31st), Lane (23rd), Lewis, McClain, Myers, Peterson, Pettigrew, Plante, Poston, Saunders, Saylor, Scarborough, Sims, Smathers, Stolzenburg, Sykes, Trask, Vogt, Ware, Weber, Williams, Wilson, Winn and Zinkil—

Senate Concurrent Resolution No. 143

A CONCURRENT RESOLUTION IN MEMORIAM ERNEST WILLIAM GAUTIER

WHEREAS, Senator Gautier was a zealous man who gave freely of his time and talents at all levels of demand—to his chosen profession, the law, to his country's need in time of war, and to his state's requirement for legislative leadership. He stood up and was counted in the galaxy of the gallant, the brilliant and the able, and

WHEREAS, we would do homage to him who has gone from our mundane realm to "join the choir invisible of those immortal . . . who live again in minds made better by their presence; . . . In thoughts sublime that pierce the night like stars, and with their mild persistence urge men's search to vaster issues . . .", and record our condolences in the loss suffered by his family, friends, community and state in his demise, March 9, 1973, NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That this resolution be recorded upon the journals of the Senate and the House of Representatives of the State of Florida—

IN MEMORIAM ERNEST WILLIAM GAUTIER

—fourth generation Floridian, the son of Elias Bryan of Marianna, Florida, and Charlotte Belle Williams Gautier of Midway, South Carolina, and great-grandson of Peter B. Gautier, one of Florida's territorial house speakers. He was educated in the public schools of St. Petersburg and was a member of the first graduating class of St. Petersburg Junior College, 1929. He did graduate work at the University of Florida, and in 1932 received an LL.B. degree from Stetson University. Senator Gautier was a member of Pi Kappa Phi social fraternity; president of Phi Alpha Delta law fraternity; captain of the 1930 Stetson football team; Freshman football coach, 1931-1932; member of the boxing team; and sports editor of the "Hatter".

Admitted to The Florida Bar in 1932, Senator Gautier began the practice of law in New Smyrna Beach in 1933 with G. W. (Buddy) Rasco, brother of the dean of the University of Miami law school. Except for a two year period in Miami shortly thereafter, New Smyrna Beach remained the location of his eminently successful law practice, during which he served as city attorney for New Smyrna Beach and Port Orange, attorney for the Southeast Volusia Hospital District, East Volusia Mosquito Control District, the Bank of New Smyrna, the First Federal Savings and Loan Association of Daytona Beach, the Ponce de Leon Inlet Port Authority and the New Smyrna Beach Utilities Commission.

He entered the Army Air Corps in 1941 as a Second Lieutenant, was released from active duty in April, 1946, with the rank of Colonel, after forty-two months of service in the European Theatre. He was awarded the Bronze Star and ETO medal with three battle stars for meritorious service when his ship was torpedoed by a German submarine.

In 1942 Senator Gautier married Miss Anne Sams of New Smyrna Beach, and to them were born twin daughters, Patricia Bryan and Priscilla Sams, now Mrs. E. C. Deeno Kitchen of Tallahassee and Mrs. J. A. Bornmen of Ft. Belvoir, Virginia, all of whom survive him.

In 1940 he was elected to the Volusia County School Board in his first political venture. In 1950 he was elected to the Florida Senate. He represented the then 28th Senatorial District through the March 1966 extra session, on termination of which he did not seek reelection. He brought to the legislative halls a characteristic vigor and intensity which earned him the sobriquet "The Watchdog of the Senate". He inaugurated a system of pre-legislative public hearings in Volusia County; was selected by the Allen Morris Senate poll for award as Outstanding First Term member in 1953; initiated the passage of the first bill starting Florida's mental health program; suggested that a secretary of labor be included in the state cabinet; introduced and sponsored statewide conservation measures; served on many important standing committees; sat on the Senate's two courts of impeachment in 1957 and 1963.

Senator Gautier was a member of St. Paul's Episcopal Church; member of the American Bar Association, The Florida Bar and Volusia County Bar Association; past president of both the New Smyrna Beach Chamber of Commerce and Rotary Club; member of the Masons, Shriners, Elks, Odd Fellows, American Legion and Veterans of Foreign Wars; past commodore and life member of the Smyrna Yacht Club; charter and life member of the Anglers Club; life member of the Rod and Gun Club; director of the Stetson Law School Alumni Association; and member of the Quarterback Club and the Volusia County Cattlemen's Association. He established the Gautier Good Government Award. His hobbies were hunting, fishing and raising Hereford cattle and Shetland ponies on his ranch, "Dixie Acres".

On September 1, 1957, he was chosen "Man of the Week" by the Orlando Sentinel. In 1955 he was chosen by Florida State University for honorary membership in the Gold Key leadership fraternity "in recognition of the able way in which he served the best interests of the state . . . and . . . his devotion to the welfare of education."

BE IT FURTHER RESOLVED that a copy of this resolution duly attested, together with the condolence of the Legislature, be forwarded to the family of our late friend and distinguished former colleague—Senator Ernest William Gautier.

Senator Barron moved the following title amendment which was adopted:

Amendment 8—On page 1, between lines 24 and 25 insert: repealing section 120.21(1), Florida Statutes, relating to definitions; repealing section 120.321, Florida Statutes, relating to an exemption;

Senator Trask moved the following title amendment which was adopted:

Amendment 9—On page 1, between lines 24 and 25, insert: providing exemptions;

Senator Horne offered the following amendment which was moved by Senator Barron and adopted:

Amendment 10—On page 2, line 21, strike “, but not the legislature and the courts” and between lines 6 and 7, insert:

Section 2. Section 120.015, Florida Statutes, is created to read:

Section 120.015.—This chapter shall not apply to the legislature, courts, industrial relations commission, judges of industrial claims, or unemployment compensation appeals referees. The practice and procedure before the industrial relations commission and judges of industrial claims shall be governed by rules adopted by the supreme court of Florida.

[Renumber subsequent sections]

Senator Barron moved the following amendment which was adopted:

Amendment 11—On page 19, between lines 16 and 17, insert:

(2) Notwithstanding any provision of chapter 120, Florida Statutes, all public utilities and companies regulated by the Public Service Commission shall be entitled to proceed under the interim rate provisions of chapter 364, Florida Statutes.

Senator Horne offered the following amendment which was moved by Senator Barron and adopted:

Amendment 12—On page 1, line 6, after “title,” insert: creating §120.015, Florida Statutes, providing exemptions;

On motion by Senator Barron, by two-thirds vote, CS for SB 892 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—37

Mr. President	Gruber	Plante	Vogt
Barron	Henderson	Poston	Ware
Brantley	Johnson	Saunders	Weber
Childers	Lane (31st)	Saylor	Williams
de la Parte	Lane (23rd)	Scarborough	Winn
Firestone	Lewis	Sims	Zinkil
Gallen	McClain	Smathers	
Gillespie	Myers	Stolzenburg	
Gordon	Peterson	Sykes	
Graham	Pettigrew	Trask	

Nays—None

By unanimous consent Senators Deeb, Glisson and Johnston were recorded as voting yea.

Senator Poston was recorded as a co-introducer of SB 892.

On motion by Senator Barron, the rules were waived and CS for SB 892 was ordered immediately certified to the House after engrossing.

On motion by Senator Peterson, the rules were waived and the Senate immediately reconsidered the vote by which—

CS for SB 374—A bill to be entitled An act relating to the application of restricted pesticides; providing purpose, defini-

tions, administration and enforcement, rules, license for certified applicators, fees, examination, keeping of records, report of damages, exemptions; providing for denial, suspension or revocation of license; providing a pesticide application council; providing injunction and penalty; providing an effective date.

—as amended passed on May 13.

Senator Peterson moved the following amendments which were adopted by two-thirds vote:

Amendment 5—On page 14, line 30, strike “lands” and insert: property

Amendment 6—On page 13, lines 20 and 22, strike “person” and insert: animal except man

On motion by Senator Peterson, CS for SB 374 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—38

Mr. President	Graham	Peterson	Trask
Barron	Gruber	Pettigrew	Vogt
Brantley	Henderson	Plante	Ware
Childers	Johnson	Poston	Weber
de la Parte	Johnston	Saunders	Williams
Firestone	Lane (31st)	Saylor	Wilson
Gallen	Lane (23rd)	Scarborough	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	

Nays—None

On motion by Senator Childers, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to meet Thursday, May 16, from 8:00 a.m. to 12:00 noon, in lieu of 8:00 a.m. to 10:00 a.m.

SB 727 was taken up, together with:

By the Committee on Judiciary—

CS for SB 727—A bill to be entitled An act relating to gambling; renumbering subsection (2) of §849.06, Florida Statutes, and adding new subsections (2) and (3), to provide that persons playing billiards in bona fide bowling establishments are exempt from the provisions of subsection (1) of §849.06; further providing for a standard parental consent form to be determined by the division of beverage; providing an effective date.

—which was read the first time by title and SB 727 was laid on the table.

On motions by Senator Winn, by two-thirds vote CS for SB 727 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—24

Mr. President	Gordon	Plante	Vogt
Brantley	Gruber	Poston	Ware
de la Parte	Henderson	Scarborough	Weber
Firestone	Lane (23rd)	Sims	Wilson
Gallen	Myers	Stolzenburg	Winn
Gillespie	Pettigrew	Sykes	Zinkil

Nays—13

Childers	Lane (31st)	Saunders	Williams
Glisson	Lewis	Saylor	
Johnston	McClain	Smathers	
Trask	Peterson		

By unanimous consent Senator Graham was recorded as voting yea; Senators Stolzenburg and Gillespie changed their votes from yea to nay.

SB 722—A bill to be entitled An act relating to alcoholism; amending §§396.072 and 396.102, Florida Statutes; providing for clarity in definitions; clarifying responsibilities of public safety officers; authorizing public safety officers to detain alcoholics in protective custody for designated periods in municipal or county jails or other detention facilities; requiring the initiation of treatment by the appropriate treatment resource; clarifying procedures regarding examination at the treatment resource; revising involuntary commitment procedures; authorizing hospitalization for mental illness as an alternative to treatment for alcoholism in appropriate cases; authorizing alternative mental health professionals to make the required examinations under Section 396.102, Florida Statutes; amending the effective date of Section 396.161, Florida Statutes, to provide that said section shall take effect January 1, 1975; providing an effective date.

—was read the second time by title.

The Committee on Health and Rehabilitative Services offered the following amendments which were moved by Senator Myers and adopted:

Amendment 1—On page 3, lines 4—7, strike "It shall be the duty of the treatment resource to initiate appropriate treatment services for said person, including the arrangement of transportation from the detention facility to an appropriate treatment facility." and insert: It shall be the duty of the treatment resource, if necessary and appropriate, to arrange for the transportation from the detention facility to an appropriate treatment facility.

Amendment 2—On page 1, line 28, insert a new section 1 and renumber subsequent sections. The language for section 1 is listed below:

Section 1. Section 396.032 is amended by adding a new subsection (11) to read:

396.032 Definitions.—For the purposes of this chapter:

(11) "Mental health professional" means a person holding a minimum of a masters degree in an appropriate mental health discipline including medicine, nursing, psychology, social work, vocational rehabilitation, pastoral counseling or educational counseling.

Amendment 3—In title, line 5, strike "and 396.102," and insert: , 396.102 and 396.151,

Amendment 4—On page 8, line 8, insert a new section 3; renumber subsequent sections:

Section 3. Section 396.151, Florida Statutes, is amended to read:

396.151 False information or lack of probable cause to secure involuntary ~~hospitalization~~ treatment; penalty.—

(1) Any person who knowingly furnishes false information for the purpose of securing the involuntary ~~hospitalization~~ treatment of any individual to any facility for the treatment of alcoholism shall be guilty of a misdemeanor of the first degree, punishable as provided in §775.082, or by fine not exceeding \$5,000, or both.

(2) Any individual who, without probable cause for believing a person to be an alcoholic:

(a) Causes or conspires with or assists another to cause the involuntary ~~hospitalization~~ treatment of any such person under this chapter, or

(b) Causes or conspires with or assists another to cause the denial to any person of any right accorded to him under this chapter shall be guilty of a misdemeanor of the first degree, punishable as provided in §775.082, or by fine not exceeding \$5,000 or both.

(3) Any individual who, without probable cause for believing a person to be an alcoholic, executes a petition, application, or certificate pursuant to this chapter, by which such individual secures or attempts to secure the involuntary hospitalization treatment or involuntary restraint of any such person, shall be guilty of a misdemeanor of the first degree, punishable as provided in §775.082, or by fine not exceeding \$5,000, or both.

Senator Lane (31st) moved the following amendment:

Amendment 5—On page 2, strike all of lines 1—5

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—39:

Mr. President	Gordon	Myers	Sykes
Barron	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Poston	Ware
Deeb	Johnson	Saunders	Weber
de la Parte	Johnston	Saylor	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	

On motion by Senator Glisson, unanimous consent was obtained to take up out of order—

HB 1135—A bill to be entitled An act relating to insurance; amending §627.419(3), Florida Statutes, 1972 Supplement, as amended, to provide that podiatrists be paid from the proceeds of medical policies, if the procedures performed are within the scope of their professional license; providing an effective date.

—which was read the second time by title.

Senator Deeb offered the following amendments which were moved by Senator Glisson and adopted:

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert: Section 1. Subsection (4) is added to Section 627.419, Florida Statutes, to read:

627.419 Construction of policies.—

(4) If the insurer offers a policy containing a provision for medical expense benefits that does not provide payment for podiatric services, it shall offer as a part thereof an optional rider or endorsement, if specifically requested by the insurance purchaser, which defines such benefits as including payment to a podiatrist for procedures specified in the policy which are within the scope as now defined in Chapter 460, Florida Statutes. Any additional cost to the insured must be reasonably related to benefits provided.

Section 2. This act shall take effect October 1, 1974.

Amendment 2—On page 1, strike all of lines 3 through 9 and insert: A bill to be entitled An act relating to insurance contracts; adding subsection (4) to §627.419, Florida Statutes, to require an insurer to offer an optional rider or endorsement upon request to provide payment for podiatric services; providing an effective date.

On motion by Senator Glisson, by two-thirds vote HB 1135 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—24

Mr. President	Gruber	Peterson	Stolzenburg
Brantley	Johnston	Poston	Vogt
Childers	Lane (23rd)	Saylor	Weber
Firestone	Lewis	Scarborough	Wilson
Gillespie	McClain	Sims	Winn
Gordon	Myers	Smathers	Zinkil

Nays—None

By unanimous consent Senators Williams and Glisson were recorded as voting yea.

On motion by Senator Weber, the rules were waived and CS for SB 727 was ordered immediately certified to the House.

On motion by Senator Scarborough, CS for HB 3096 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Vogt, CS for SB 542 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

The Senate resumed Special Order.

Consideration of SB 722 with pending amendment was deferred.

SB 366 was taken up, together with:

By the Committee on Education—

CS for SB 366—A bill to be entitled An act relating to school buildings; amending §235.31, Florida Statutes, to authorize school boards to negotiate with contractors to remodel, etc., existing school buildings when bidding would be difficult; providing an effective date.

—which was read the first time by title and SB 366 was laid on the table.

On motions by Senator Peterson, by two-thirds vote CS for SB 366 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—24

Mr. President	Johnson	Peterson	Sykes
Brantley	Johnston	Plante	Trask
Firestone	Lane (23rd)	Poston	Vogt
Gillespie	Lewis	Sayler	Weber
Gordon	McClain	Sims	Wilson
Gruber	Myers	Smathers	Winn

Nays—3

de la Parte	Stolzenburg	Zinkil
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By unanimous consent Senators Williams, Glisson, Childers and Graham were recorded as voting yea.

SB 825—A bill to be entitled An act relating to the Tampa-Hillsborough County Expressway Authority; amending subsection (2) of Section 348.52, Florida Statutes; to provide for reconstitution of the governing body of the authority; to establish applicable terms of office; to provide for the filling of vacancies; to provide for the removal from office for cause; to require an oath of office; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote SB 825 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Weber
Firestone	Lane (23rd)	Sayler	Wilson
Gallen	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

By unanimous consent Senators Williams and Glisson were recorded as voting yea.

SJR 730 was taken up, together with:

By the Committee on Judiciary and Senator Pettigrew—

CS for SJR 730—A joint resolution proposing an amendment to section 12 of Article V of the State Constitution relating to the judicial qualifications commission; providing that the commission shall have the power to investigate and recommend removal or a reprimand of any justice or judge whose conduct, during term of office or otherwise occurring on or after November 1, 1966, demonstrates a present unfitness to hold office; providing that the commission shall adopt rules which may be repealed by a majority vote of the membership of each house of the legislature, or by the supreme court, five justices concurring; providing that the commission may by majority vote recommend the temporary suspension of any justice or judge against whom formal charges are pending; providing that if the supreme court suspends, all proceedings shall be public, otherwise all proceedings shall be confidential until a recommendation is filed by the commission; providing that the commission shall have access to all information from all executive, legislative and judicial agencies, including grand juries; providing that the commission shall make available information for use in consideration of impeachment or suspension.

—which was read the first time by title and SJR 730 was laid on the table.

On motion by Senator Myers, by two-thirds vote, CS for SJR 730 was read the second time by title.

Senators McClain and Ware offered the following amendment which was moved by Senator McClain and adopted:

Amendment 1—On page 4, line 7, strike “majority” and insert: two-thirds

Senator Lewis moved the following amendment:

Amendment 2—On page 4, lines 3 and 4, strike “, or by the supreme court, five justices concurring”

Amendment 2 was adopted by the following vote:

Yeas—15

Mr. President	Johnson	Pettigrew	Williams
Gallen	Lane (23rd)	Poston	Wilson
Gillespie	Lewis	Sykes	Zinkil
Gordon	Peterson	Trask	

Nays—14

Childers	Johnston	Smathers	Weber
de la Parte	McClain	Stolzenburg	Winn
Graham	Myers	Vogt	
Gruber	Sayler	Ware	

By unanimous consent Senator Glisson was recorded as voting yea.

Senator Lewis moved the following title amendment which was adopted:

Amendment 3—Lines 17 and 18, strike “, or by the supreme court, five justices concurring”

On motion by Senator Myers, by two-thirds vote, CS for SJR 730 as amended was read the third time by title.

Senator Pettigrew moved the following amendment which failed:

Amendment 4—On page 2, lines 20, 25, 26 strike “on or after November 1, 1966” and insert: up to six years prior to term

CS for SJR 730 as amended was read in full and failed to pass. The vote was:

Yeas—20

Mr. President	Gordon	Poston	Ware
de la Parte	Graham	Sayler	Williams
Firestone	Gruber	Scarborough	Wilson
Gillespie	Peterson	Smathers	Winn
Glisson	Pettigrew	Vogt	Zinkil

Nays—16

Brantley	Henderson	McClain	Stolzenburg
Childers	Johnston	Myers	Sykes
Deeb	Lane (31st)	Saunders	Trask
Gallen	Lewis	Sims	Weber

Senator Myers moved that the Senate reconsider the vote by which CS for SJR 730 as amended failed to pass.

On motion by Senator Poston, the rules were waived and SB 601 was ordered immediately certified to the House.

On motion by Senator Sims, the rules were waived and HB 3734 was ordered immediately certified to the House.

On motion by Senator Childers, the rules were waived and the Senate immediately reconsidered the vote by which—

CS for HB 2531—A bill to be entitled An Act relating to non-indigenous aquatic plant control; providing definitions and legislative intent; amending section 372.931, Florida Statutes, to broaden the authority of the department of natural resources in controlling non-indigenous aquatic plants; providing for state participation on a matching basis with local agencies in funding non-indigenous aquatic plant maintenance programs; providing for an annual report and fiscal accounting; providing authority for the department of natural resources to cooperate with the federal government in programs to control the growth of non-indigenous aquatic plants and other noxious aquatic plants; providing for cooperation between the department of natural resources and the game and fresh water fish commission; providing an effective date.

—passed this day.

Senator Childers moved the following amendments which were adopted by two-thirds vote:

Amendment 1—On page 5, line 2, after the word “commissions” insert: , districts,

Amendment 2—On page 5, line 12, after the word “any” insert: district,

Amendment 3—On page 7, strike all of lines 10 through 13 and insert: Section 2. The department is hereby directed to use biological agents for the control of non-indigenous aquatic plants.

Section 3. This act shall take effect July 1, 1974.

On motion by Senator Childers, CS for HB 2531 as amended was read by title, passed and certified to the House. The vote was:

Yeas—32

Mr. President	Graham	Myers	Stolzenburg
Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Saylor	Williams
Gallen	Lane (31st)	Scarborough	Wilson
Glisson	Lewis	Sims	Winn
Gordon	McClain	Smathers	Zinkil

Nays—None

SB 797—A bill to be entitled An act relating to credit unions; creating new Part II, Chapter 657, Florida Statutes; creating a Florida Credit Union Guaranty corporation; setting forth the purpose of this act; providing definitions; providing a plan of operation for the corporation; providing for an interim board of directors to be appointed by the department of banking and finance and for a permanent board of directors to be selected by member credit unions; providing the membership, duties, and functions of the board of directors and the corporation; providing for membership of state credit unions in the corporation, with exceptions for provisional membership for financially unsound credit unions; providing duties of the department relating to the corporation; providing for an initial and an annual assess-

ment of member credit unions by the corporation to provide a fund for payment of covered claims and providing a mechanism for the payment of claims of shareholders against insolvent credit unions; providing for examination of the records of the corporation by the department; providing for rules and regulations by the department to carry out the purposes of this act; providing immunity from certain suits; providing for exemptions to the corporation from intangible taxation; providing for cooperation between the liquidator appointed by the department and the corporation; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Brantley and adopted:

Amendment 1—On pages 21 and 22, strike all of Section 19 and renumber subsequent sections.

Amendment 2—On page 2, lines 4, 5, and 6, strike “providing for exemptions to the corporation from intangible taxation,”

On motion by Senator Brantley, by two-thirds vote SB 797 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—31

Mr. President	Graham	Myers	Sykes
Brantley	Gruber	Peterson	Trask
Childers	Henderson	Poston	Vogt
de la Parte	Johnson	Saunders	Williams
Firestone	Johnston	Saylor	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	

Nays—None

By unanimous consent Senators Glisson and Pettigrew were recorded as voting yea.

HB 99 (cs)—A bill to be entitled An act relating to the department of transportation; amending chapter 334, Florida Statutes, by adding section 334.27; permitting the department of transportation, with the approval of the board of trustees of the internal improvement trust fund, to lease for certain periods, air rights over or under state highways for such non-highway purposes as will not impair the construction or safety of state highways; subjecting any building erected under this section to the various codes and ordinances of the governmental body where located; providing for payment of taxes on said buildings; requiring disclosure of officers and directors of leasing corporations; prohibiting erection of billboards under this section; providing an effective date.

—was read the second time by title.

The Committee on Transportation offered the following amendment which was moved by Senator Poston:

Amendment 1—On page 2, line 15, strike “state roads” and insert: transportation

Senator Poston moved the following substitute amendment which failed:

Amendment 2—On page 2, strike lines 14 and 15 and insert: any such lease shall be paid into the state treasury for credit to the state transportation trust fund. Pro-

Amendment 1 failed.

Senator Plante offered the following amendment which was moved by Senator Saylor:

Amendment 3—On page 4, line 21, following the period insert: Provided, additionally, that nothing herein shall authorize the construction of or leasing for any hotel, motel or other public lodging establishment as defined in Chapter 509, Florida Statutes.

Amendment 3 was adopted by the following vote:

Yeas—20

Mr. President	Glisson	Peterson	Stolzenburg
Barron	Gordon	Saunders	Trask
Childers	Gruber	Saylor	Vogt
de la Parte	Lane (23rd)	Scarborough	Williams
Firestone	Lewis	Smathers	Wilson

Nays—10

Gallen	Johnson	Sims	Winn
Gillespie	Myers	Sykes	
Graham	Poston	Weber	

Senator Lewis moved the following amendment which was adopted:

Amendment 4—On page 2, line 19, after the word “located” insert: and a public hearing

Senators Gordon and Childers offered the following amendment which was moved by Senator Gordon:

Amendment 5—On page 4, between lines 21 and 22 insert the following: (8) No lease shall be entered into under the terms of this act unless all governmental units in the county have signified by proper resolution that they have no interest in using the space for a public purpose.

On motion by Senator Weber further consideration of HB 99 (cs) with pending amendment was deferred.

Consideration of SB 462 was deferred.

CS for HB 3093—A bill to be entitled An act relating to the maximum length of race meetings for pari-mutuel permit holders; amending subsection (1) of §550.08, Florida Statutes, providing an exception for certain thoroughbred horse tracks; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote CS for HB 3093 was read the third time by title, passed and certified to the House. The vote was:

Yeas—25

Mr. President	Gruber	Pettigrew	Ware
Childers	Henderson	Poston	Weber
de la Parte	Johnson	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Glisson	Lewis	Sykes	
Gordon	McClain	Trask	
Graham	Myers	Vogt	

Nays—7

Gillespie	Peterson	Stolzenburg	Zinkil
Johnston	Smathers	Williams	

By unanimous consent Senator Saunders was recorded as voting nay.

Consideration of HB 3679 was deferred.

HB 3287—A bill to be entitled An act regulating shrimp fishing; amending §370.153(1)(f) and (g), (2), (3)(b), (4)(a), (b), (d) and (g) and (8), Florida Statutes, 1973; including Nassau County in the regulations now imposed on live and dead shrimp production in Duval, St. Johns, Putnam and Clay counties; creating §370.154, Florida Statutes; designating the Florida east coast shrimp beds; providing regulations for the Florida east coast shrimp beds; imposing criminal penalties for violation of the regulations; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendments which were moved by Senator Childers and adopted:

Amendment 1—On page 2, line 19, after the word “length” insert: in Duval, St. Johns, Putnam and Clay Counties and not to exceed forty-five feet in length in Nassau County

Amendment 2—On page 2, lines 20, after the word “of” insert: Nassau,

Amendment 3—On page 3, line 19, after the word “length” insert: in Duval, St. Johns, Putnam and Clay Counties and not to exceed forty-five feet in length in Nassau County

Amendment 4—On page 3, line 20, after the word “waters” insert: of Nassau County and the inland waters

Senator Brantley offered the following amendment which was moved by Senator Childers:

Amendment 5—Strike the word “Nassau” on page 1, lines 22 and 29 page 2, lines 2, 6 and 13 page 4, lines 9 and 13 page 5, line 4.

On motion by Senator Childers, consideration of HB 3287 with pending amendment was deferred.

HB 2746—A bill to be entitled An act relating to motorboat registration; amending section 371.041, Florida Statutes, 1971, providing for a grace period of ten days for registering such motorboat by the owner after purchase; providing an effective date.

—was read the second time by title. On motion by Senator Lane (23rd), by two-thirds vote HB 2746 was read the third time by title, passed and certified to the House. The vote was:

Yeas—34

Mr. President	Henderson	Pettigrew	Vogt
Childers	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Scarborough	Williams
Gallen	Lane (23rd)	Sims	Wilson
Gillespie	Lewis	Smathers	Winn
Glisson	McClain	Stolzenburg	Zinkil
Gordon	Myers	Sykes	
Gruber	Peterson	Trask	

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

Consideration of House Bills 1504, 1503 and SB 579 was deferred.

SB 11—A bill to be entitled An act relating to jurors; providing compensation for wage loss suffered by employees required to serve on juries of court; providing an effective date.

—was read the second time by title.

The Committee on Ways and Means offered the following amendment which was moved by Senator Pettigrew and adopted:

Amendment 1—On page 1, line 16, after “dance” insert: not to exceed thirty days,

The Committee on Ways and Means offered the following amendment which was moved by Senator Saunders and failed:

Amendment 2—On page 1, lines 19-20 strike “if his employer has more than fifty (50) employees” and insert: period (.)

The Committee on Ways and Means offered the following amendment which was moved by Senator Pettigrew and adopted:

Amendment 3—On page 1, line 12, after “any” add: “permanent”

On motion by Senator Pettigrew, by two-thirds vote SB 11 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Mr. President	Gruber	Peterson	Ware
Childers	Henderson	Pettigrew	Weber
de la Parte	Johnson	Poston	Wilson
Firestone	Johnston	Scarborough	Winn
Gallen	Lane (31st)	Sims	Zinkil
Gillespie	Lane (23rd)	Smathers	
Glisson	Lewis	Sykes	
Gordon	Myers	Trask	

Nays—2

Saunders Stolzenburg

By unanimous consent Senator Graham was recorded as voting yea.

Senator Lane (31st) moved that the Senate reconsider the vote by which SB 11 as amended passed.

SB 983—A bill to be entitled An act defining juvenile traffic offenses amending §316.045 (1), Florida Statutes; providing an effective date.

—was read the second time by title. On motion by Senator Pettigrew, by two-thirds vote SB 983 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Mr. President	Johnson	Pettigrew	Trask
Childers	Johnston	Poston	Vogt
Firestone	Lane (31st)	Saunders	Ware
Gillespie	Lane (23rd)	Scarborough	Weber
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Gruber	Myers	Stolzenburg	Zinkil
Henderson	Peterson	Sykes	

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

Consideration of Senate Bills 136, 1009 and 345 was deferred.

The Senate resumed Special Order.

HB 3679—A bill to be entitled An act relating to insurance, amending subsection (3) of section 624.425, Florida Statutes; allowing an agent to authorize an issuing insurance company to countersign any policy or certificate to be issued outside his office; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote HB 3679 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Pettigrew	Trask
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Saunders	Weber
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	

Nays—None

HB 1504—A bill to be entitled An act relating to group life insurance; amending Chapter 627, Part V, Florida Statutes, 1971, by adding new section 627.573 to provide that when master

group life policies are replaced the new policy must cover all participants covered under the replaced policy; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Barron and adopted:

Amendment 1—On page 1, lines 22-24, strike "that the certificate holder is given credit under the new contract for the satisfaction or partial satisfaction of any deductibles or waiting periods under the replaced contract" and insert: *that the particular certificate holder is not receiving benefits under the contract which is being replaced nor is coverage being continued under the contract which is being replaced because of the disability of the particular certificate holder*

On motion by Senator Barron, by two-thirds vote HB 1504 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Pettigrew	Trask
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Saunders	Weber
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	

Nays—None

HB 1503—A bill to be entitled An act relating to group, blanket and franchise disability insurance; amending chapter 627, part VII, Florida Statutes, 1971; by adding new section 627.665 to provide that when master group disability policies are replaced the new policy must cover under the replaced policy; providing an effective date.

—was read the second time by title.

Senator Ware moved the following title amendment which was adopted:

Amendment 1—Line 10, after the word "cover" insert: all participants

On motion by Senator Barron, by two-thirds vote HB 1503 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Pettigrew	Trask
de la Parte	Johnson	Poston	Weber
Firestone	Johnston	Saunders	Wilson
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	

Nays—None

SB 937—A bill to be entitled An act relating to corporations; amending section 617.021 (16), Florida Statutes, as amended by Chapter 73-171, Laws of Florida, and section 617.051 (1), Florida Statutes; providing for the merger and consolidation of a corporation for profit with a corporation not for profit; providing an effective date.

—was read the second time by title. On motion by Senator Gillespie, by two-thirds vote SB 937 was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Mr. President	Gordon	McClain	Smathers
Barron	Graham	Myers	Stolzenburg
Childers	Gruber	Peterson	Sykes
Deeb	Henderson	Pettigrew	Trask
de la Parte	Johnson	Poston	Ware
Firestone	Johnston	Saunders	Weber
Gallen	Lane (31st)	Sayler	Winn
Gillespie	Lane (23rd)	Scarborough	Zinkil
Glisson	Lewis	Sims	

Nays—None

SB 430—A bill to be entitled An act relating to school boards; amending §230.061(1), Florida Statutes; providing that school board member residence areas be as nearly equal in proportion to population as possible; providing an effective date.

—was read the second time by title.

The Committee on Education offered the following amendment which was moved by Senator Gillespie and adopted:

Amendment 1—On page 1, line 22, strike "October" and insert: December

The Journal of May 13 was corrected and approved.

CO-INTRODUCERS

Senator Gordon was recorded as a co-introducer of SB 853, Senator Sayler as a co-introducer of Senate Bills 298 and 1059, Senator Zinkil as a co-introducer of SB 763, Senator Smathers as a co-introducer of SB 159, Senator Wilson as a co-introducer of SB 887.

Senator Barron moved that the Senate do now adjourn which was agreed to and the Senate adjourned at 4:21 p.m. to convene at 9:00 a.m., May 15, 1974.